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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,468	08/20/2003	Eric S. Barnes	A3175-US-NP	5956
75931 7590 03/11/2010 BASCH & NICKERSON LLP 1777 PENFIELD ROAD PENFIELD, NY 14526				
EXAMINER KASSA, HILINA S				
ART UNIT 2625		PAPER NUMBER		
NOTIFICATION DATE 03/11/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/644,468	Applicant(s) BARNES ET AL.
Examiner HILINA S. KASSA	Art Unit 2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 February 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1, 2 and 8-33.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625

/Hilina S Kassa/
Examiner, Art Unit 2625

Continuation of 11, does NOT place the application in condition for allowance because: The arguments presented by Applicant are not persuasive. The arguments presented with the Afterserial are the same arguments presented in reply to the Non-final mailed on 05/14/2009. The Examiner's position with respect to the present arguments is the same.

Applicants argue that Brintzenhofe et al. and McBrearty et al. fails to teach "obtaining a list of document components associated with an interpreted page cacheable reusable, the list of document components including cacheable reusable document components and non-cached document components associated with the interpreted page; and/or identifying the cacheable reusable document components included in the obtained list of documents components associated the interpreted page"

With respect to Applicant's argument, "obtaining a list of document components associated with an interpreted page cacheable reusable, the list of document components including cacheable reusable document components and non-cached document components associated with the interpreted page; and/or identifying the cacheable reusable document components included in the obtained list of documents components associated the interpreted page", but Brintzenhofe et al. in paragraph [0086], lines 1-6; note that a composite document with different types of components is disclosed see also figure 6, the list, associated with an interpreted page cacheable reusable, of document components including cacheable reusable document components. Also, in paragraph [0086], lines 3-9; note that the cacheable reusable document is identified as the file, identifying the cacheable reusable document components included in the obtained list of documents components associated the interpreted page. And McBrearty et al. teaches in figure 5, column 9, lines 28-34; note that a web page is requested or obtained from a server and a check is made to determine if non cached components are present, obtaining a list of document components and non-cached document components associated with the interpreted page. The rejection of this limitation is based on a combination of the two references and it is not necessary for one reference to teach the whole paragraph. Thus, the argument is not persuasive. Same argument is applied to rejection of claim 31 on page 13 of Applicant's remarks.

Applicants argue that Gauthier and McBrearty et al. fails to disclose assessing the rendered page for the possibility of having an underlay-overlay pair.

With respect to Applicant's argument, "assessing the rendered page for the possibility of having an underlay-overlay pair", McBrearty et al. in figure 5, column 9, lines 28-34; note that a web page is requested or obtained from a server and a check is made to determine if non cached components are present, per specification underlay-overlay implies cached and non-cached components, abstract. The interpretation of McBrearty is taken under consideration based on the defined concept of the claim in the specification. Thus, the stated argument is not persuasive.

Applicant's argue that Gauthier, Brintzenhofe et al., Freund fails to disclose a page description language interpreter that combines some of the reusable document components into composites of reusable document components and combines some of the reusable document components with respect to the relative positions of the reusable document components into composites of reusable underlays.

With respect to Applicant's argument, Brintzenhofe et al. disclose said page description language interpreter combining some of said reusable document components into composite of reusable document components paragraph [0150], lines 1-13; note that it is disclosed how contents may be added to a composition and how each tree or component is changed accordingly. In figure 19, it is shown that the content m design and media trees before combining and after combining; and said page description language interpreter combining some of said reusable document components with respect to the relative positions of said reusable document components into composites of reusable underlays paragraph [0151], lines 1-11; note that it is disclosed that the components are combined with respect to the relative position i.e. empty text region. Also, Freund teaches said page description language interpreter combining some of said reusable document components with respect to the relative positions of said reusable document components into composites of reusable underlays column 2, lines 32-44; note that a visual characteristics of the displayed link status indicator indicates whether or not the document represented by the Internet link is stored in the cache. If a user selects a link status indicator, the system and method will fetch the document associated with the corresponding Internet link and store it in the cache without displaying the document to the user. Per specification underlay-overlay implies cached and non-cached components, abstract. Thus, the stated argument is not persuasive.

Applicants argue that Brintzenhofe et al. fails to disclose combining some of the reusable document components into composites of reusable document components and combining some the reusable document components with respect to the relative positions of the reusable document components into composites of reusable underlays.

With respect to Applicant's argument, Brintzenhofe et al. disclose some of said reusable document components into composite of reusable document components paragraph [0150], lines 1-13; note that it is disclosed how contents may be added to a composition and how each tree or component is changed accordingly. In figure 19, it is shown that the content m design and media trees before combining and after combining; and combining some of said reusable document components with respect to the relative positions of said reusable document components into composites of reusable underlays paragraph [0151], lines 1-11; note that it is disclosed that the components are combined with respect to the relative position i.e. empty text region. Per specification underlay-overlay implies cached and non-cached components, abstract. Thus, the stated argument is not persuasive. .